

City of NAPOLEON, OHIO

255 WEST RIVERVIEW AVENUE, P.O. BOX 151
NAPOLEON, OHIO 43545-0151
(419) 592-4010
FAX (419) 599-8393



March 20, 1998

Mayor
Donald M. Stange

Ms. Deborah Bockelman
636 Welsted St.
Napoleon, Ohio 43545

Members of Council
Michael J. DeWit, President
Dennis Filgor
James Hershberger
Glenn A. Miller
Travis B. Sheaffer
Char Weber
Terri A. Williams

Re. Garbage in garage at your residence.

Dear Ms. Bockelman

City Manager
Marc S. Gerken, P.E.

I have received complaints regarding the accumulation of garbage in and around your premises. Upon inspection of the site I find you are in violation of City Code Section 925.03 (attached). Please be advised you are hereby granted 10 days to remove all garbage from your premises. In the event you do not comply with this notice proceedings will be taken against you.

Finance Director
Gregory J. Heath

Law Director
David M. Grahn

If you have questions regarding the content of this notice you may contact me at 592-4010.

City Engineer
Adam C. Hoff, P.E.

Sincerely

Brent N. Damman
Zoning Administrator

- (n) "Rubbish" means all household, trade, commercial or institutional waste matter, such as paper, straw, wood, rags, cardboard, wearing apparel and other wastes accumulated about buildings, all combustible and noncombustible waste materials accumulated in the construction, remodeling or repair of buildings and all other combustible products, such as tires, asphalt, petroleum, plastic and synthetic and natural rubber products.
- (o) "Person" means an individual, corporation, business, trust estate, trust, partnership, association or other entity. Whenever used in any clause prescribing and imposing a penalty, the word "person" as applied to any partnership or association shall mean the partners or other owners thereof, and, as applied to any corporation or other entity, shall mean the officers thereof, and, as applied to any business trust, estate or trust, shall mean the fiduciary thereof.
- (p) "Solid waste" means such unwanted residual solid or semisolid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations, or other waste materials of type that would normally be included in demolition debris, non-toxic fly ash, spent non-toxic foundry sand, and slag and other substances that are not harmful or inimical to public health, and includes, but is not limited to garbage, tires, combustible and noncombustible material, street dirt, and debris. "Solid wastes" does not include any material that is an infectious waste or a hazardous waste. (ORC 3734.01)
- (q) "Waste" means all waste material of every kind.
- (r) "Subscriber" means any householder or any customer of the City's collection (refuse) service.
- (s) "Yard waste" means vegetative waste matter from any source, including, but not limited to, waste from lawns, yards, trees, bushes, shrubbery, flowers, vegetable, vines, and all other plants or plantings. For the purpose of example, and not by way of limitation, the following are examples of yard waste: leaves, pruning, branches, logs, trees, shrubbery, and grass clippings. (Ord. 160-96. Passed 12-30-96.)

925.02 PUBLIC UTILITY.

The operation of collection and disposal of garbage, refuse or rubbish by the City is and has been established as a public utility, known as the Sanitation Service Fund, and that such service shall be rendered to all persons upon payment of the rates herein authorized. (Ord. 28-95. Passed 4-3-95.)

925.03 DISPOSAL REQUIRED.

It shall be unlawful for any householder, person, firm, or corporation to allow solid waste, yard waste, hazardous waste, garbage, refuse, rubbish or any other waste, herein mentioned or not, to accumulate upon property owned or occupied by him or them. Each person or family occupying a separate place of abode, and each business or firm, shall make provisions for the collection and removal of such waste. The accumulation of such waste shall constitute a nuisance and may be prosecuted as such. (Ord. 28-95. Passed 4-3-95.)

925.04 SANITATION DEPARTMENT COLLECTION SERVICE.

The City will provide for regular collection of garbage, refuse or rubbish once each week from residential establishments. The City may provide for regulation collection of garbage, refuse or rubbish once each week from commercial establishments, schools, nonprofit organizations and public services. If the service is desired, commercial establishments must specifically request said